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Warning: **The Drift Is Toward War and Fascism**

The Delusions of Mr. Dulles

I

The key words, the fateful phrase, in the Dulles address to the Overseas Press Club was "by whatever means." This was a new departure. To understand on what uncharted seas it would launch the U. S. if not the United Nations, one must compare it with what President Eisenhower said on Indo-China last April and Dulles last September. The former said that the Korean truce would be a fraud if it merely released aggressive armies for attack elsewhere. Dulles warned that if Communist China sent its own army into Indo-China that would result in grave consequences which might not be confined to Indo-China. These were clear and explicit warnings against a Chinese military invasion of Indo-China. This is fully within the power of Peiping to avoid, and an invasion would be a concrete move people everywhere could understand.

But Dulles went beyond this Monday night. He said the imposition "on South-east Asia" of Communism "by whatever means . . . should not be passively accepted, but should be met by united action." This calls for united action not merely against an invasion by China but against internal change "by whatever means" brought about. This is broad enough to cover not only revolution, but a peaceful settlement that might set up a coalition regime in Indo-China or even a democratic election in which the Communists lawfully won a majority.

It is not intended to imply that the Communists could muster a majority in Indo-China today in a free election. The point is that U. S. policy is being laid down which says in advance that we will not accept certain political ideas in the area "by whatever means" chosen. This is hardly compatible with our usual insistence on free elections. This is not an extension of the Monroe Doctrine—as Dulles hints—but of the Holy Alliance the Monroe Doctrine was intended to combat. For the Holy Alliance sought by force to stamp out those revolutionary ideas which the French Revolution had brought into the world, and to stifle even those moderate movements which Their Most Christian Majesties feared might trend in the same direction. "It was this so-called Holy Alliance," H. A. L. Fisher writes in his *History of Europe,* "which muzzled intellectual life in Germany, stamped out the constitutional movements of Italy, restored autocracy to Spain, refused to recognize the insurgent democracies of South America . . ." This is the direction in which we have been drifting since the intervention in Greece. The implications of the Truman Doctrine are extended and made explicit by the Dulles declaration.

II

The dangers in this commitment lie in its diffuse character. A warning to China not to invade Indo-China may be met with war. The nuclear weapons on which we rely may be used with telling force. The policy may precipitate world war but at least it is calculable. But what do we do if the Chinese do not intervene and yet Indo-China does not settle down comfortably into what we consider a safely anti-Communist groove? We can destroy the country with our favorite weapon. We can blast its pro and anti Communists impartially with lesser bombs and napalm as we blasted Korea. We can send our own soldiers in to fight the guerrillas in their own way, but past experiences of our own in Mexico and Nicaragua do not promise that we should be more successful than the French in such a course. None of these alternatives would endear us to Asia, and one of them—use of our new nuclear weapons against human beings—would make us odious to all mankind.

There is something to be said for reliance on force if force works. But there is nothing more objectionable than a policy of force which can only hurt and destroy without creating stability of any kind. It is important to focus on that phrase "by whatever means" because Dulles did his best to hide its full implications by pretending that we were somehow helping a great popular movement in Indo-China. One need go back no further and to a source no more liberal than the Judd committee report of last week-end to see how false this is. This Congressional study group made a trip to Indo-China under the chairmanship of Congressman Walter H. Judd, a rightist Republican and ex-missionary who sees the world through the same eyes as Chiang Kai-shek. Their conclusions —no "Munich" in the East—are the same as Dulles, but the facts they brought back do not support their conclusions.

What does the report say? First, that "the country is war weary and would welcome peace." Secondly, that independence is a political necessity, that "the near monopoly" Ho Chi Minh "has enjoyed on nationalist sentiment will be broken if Viet Nam achieves by peace what Ho Chi Minh professes to seek by war." With peace there must come a complete renovation of the government. "The present government," the Judd report says, "has been hand-picked by Bao Dai. Some of its members not only have no popular support but have been associated with anti popular movements . . . The current situation is expressed in military terms. But the real problem is a weak political base."

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This is not the kind of problem which can be solved by force. The only "strong" government which can be established by military means is a rightist and authoritarian regime like that of Papagos in Greece or Rhee in South Korea. To shut the door on conciliation, to rely on force, is to set in motion a course of action which must end with our supporting something close to Fascism in the name of freedom.

III

Even this might be defended in a world eager above all for peace if it could be kept confined to Indo-China. But a repressionist policy must create tension in the Far East. To understand Chinese reaction we need only imagine the consequences if Communist China were pouring money, ammunition and technical aid into Mexico in support of a regime hostile to the U. S. The situation is further complicated by our call for "united action" and our hope of intervening with Asian allies instead of our own men. The only Asian allies willing and ready are the soldiers of Chiang Kai-shek, and here again it is useful to compare the Dulles picture with that in the Judd report.

Dulles would have them rescue us under the guise of rescuing them. "Should the free nations," he asked, "facilitate and encourage the bloody liquidation by the Chinese Communists of these free Chinese on Formosa?" But the danger Formosa fears is not "liquidation" but, as the Judd report reveals, being allowed to die peacefully on the vine.

"Inadequate numbers," the report says of Chiang's forces, "will push the Army's age to a point where its combat capabilities will diminish. Most observers agree that the decisive date will be in about five years. Thus the government must weigh the possibilities of a mainland invasion while it has offensive potential, or risk the danger of supporting an overaged military establishment."

The report goes on to say, in a flash of illumination, "It [i.e. Chiang's regime] is not unmindful that the Chinese Communists may choose to sit this one out. The choice of alternatives, open to the National Government," the report concludes lamely, "can only be made in the light of many interrelated factors not the least of which is the role of the United States."

In plainer language this means that whether Chiang's army just dies away of old age depends on whether in the next five years we use it for war on the mainland, either in Indo-China or against China itself, in which case we will be drafting an elderly flea for use against a vigorous young elephant. In this connection, in view of all the talk about the political advantages of using Asians against Asians, it would be just as well to take note of another observation in the Judd report. "In northern Viet Nam," the report says, "the memory of the unpleasant Chinese military occupation in the postwar period has sharpened local animosities against the Chinese community." Chiang's army has been there already, and—though "fellow Asian"—is none too popular. The notion that intervention with Chiang's troops would be politically more palatable than the use of our own is another of the minor delusions Mr. Dulles has fostered.

IV

A major delusion is that "united action" can be obtained by a speech which, only a few weeks before a peace conference with Communist China, slams the door on negotiation and demands unconditional surrender to American objectives in Korea and Indo-China. This may achieve unity with the Republican Senators of the China Lobby bloc but not with Britain and France, or New Zealand and Australia, much less India or Burma. The dangers they might be willing to face after a conference at which attempts at negotiation and compromise had failed are not dangers they will freely risk in the wake of a speech which seems to torpedo the conference in advance. Dulles terms his position "soberly rational" but what is sober or rational about a position which could logically be taken up only if we were the conqueror of East Asia, and not in the wake of a military stalemate in which we were fought to a standstill by far more poorly equipped North Korean and Communist Chinese forces?

Only those who mistake rigidity for strength will think that Dulles has taken a strong position. His position reflects the weakness of the Eisenhower Administration. For while the big business men who are at its core want disengagement, economy and relaxation of tension, they have been impelled by their own extremist wing and the character of the Democratic opposition to take up attitudes which must bring a third world war closer. The extremist wing has long set its course toward war with China, while the Democratic opposition—instead of calling for peace—are critical of the relaxed arms race and as ready at the next election to accuse the Republicans of "losing" Indo-China as the Republicans have been to accuse them of "losing" China itself. The atmosphere in Washington is such that few members of Congress dare oppose anything, whether in the direction of the police state at home or war abroad, which would put him in the position of opposing something which is advertised as anti-Communist.

The tide here is running toward war and fascism, though few are lunatic enough to want either. The President, who opposed military intervention in Indo-China only a few weeks ago, now will not commit himself against sending troops. The whole world fears an atomic holocaust but the best lead the Administration can give is a frigid and meager statement by the head of the Atomic Energy Commission. In the Senate, where Douglas already calls for war, only Stennis of Mississippi points out the obvious. "Atomic energy," he interrupted Symington's febrile appeal for a bigger air force to say last Tuesday, "has reached the point where there is no effective defense, where there is no security to be had against it." Only one voice, Chet Holifield of California, is thereupon raised in Congress to hint that joint action for peace is thus the only way out. The silence of the liberals is thunderous. Our friends and allies must save us and themselves from our impotence. A great nation is being driven toward catastrophe like a herd of sheep, moved onward and held together by the nips and growls of a few fierce dogs. A free people has rarely exercised less control over its own destiny.

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Wire-Tapping Mythology—Brownellism In Action

In their morning mail last Tuesday, members of the House were notified by the majority whip that there would be a vote on Wednesday, Thursday or Friday on a bill to authorize wire-tapping. The notification was extraordinary in that no bill had yet been reported, and the House Judiciary Committee was only to begin meeting on a bill that morning. The notice reflected the intense pressure suddenly turned on by Republican leadership, under urging by Attorney General Brownell and FBI Director J. Edgar Hoover.

Brownell and Hoover had already won a notable success. Last July, after three days of hearings, House Judiciary Subcommittee No. 3 had unanimously reported H.R. 477 by its chairman, Keating (R., N.Y.), an able lawyer and (in the past) legal conservative. Keating's bill authorized wire-tapping in "security" cases but only after the issuance of a permit—the equivalent of a search warrant—by a U.S. judge. In this the bill followed the procedure of New York State, where wire-tapping by the police is legal when a judicial order has been obtained.

The report favoring the Keating bill was a defeat for Brownell and Hoover. The Department of Justice bill, H.R. 408, by Reed (R., N.Y.), chairman of the full committee, would permit wire-tapping without a court order, on the sole approval of the Attorney General. Wire-tapping seemed to have bogged down between the Department's insistence on a free hand and Congressional reluctance to allow wire-tapping without judicial supervision. Then Keating executed a flip-flop. On Saturday, March 27, after a luncheon with Brownell and Hoover, he issued a statement reversing himself, accompanied by the draft of a new bill giving the Attorney General the power to authorize wire-tapping in "security" cases.

Political gossip on the Hill attributed the reversal to Keating's ambition to run for Governor of New York when and if Dewey decides to bow out. Keating himself said in his statement that conferences with Brownell and Hoover "have convinced me that in the limited field of treason, sabotage, espionage and sedition, our crime detection and law enforcement officials would be seriously hampered in bringing to justice the enemies of our country if they were required to obtain court approval before tapping a wire." The implication is that even the courts cannot be fully trusted. The further implication is that the FBI and the Attorney General can. In the police state, the police alone are pure.

In an address on March 18 before the National Civil Liberties Clearing House here in Washington, the Attorney General made a plea for wire-tapping. He pictured an "interlocking web" of Communist activity and said "As a matter of necessity, they turn to the telephone to carry on their intrigue. When they will next strike, who will be their victim, what valuable government secret will be the subject of a new theft, where a leading fugitive conspirator is being concealed—these are all matters that Communist agents talk about over telephones today, knowing that they cannot be confronted in a criminal proceeding with what they say."

This belongs in Bulfinch's Age of Fable. It conveys the impression that men desperate enough to steal government secrets discuss their activity on the telephone and that the FBI must listen in helplessly because "they cannot be confronted in a criminal proceeding with what they say." It may not be possible to "confront them with what they say" but that is principally because it is difficult to make crime of conversation. It is certainly possible to confront them with evidence of what they do, if they really do it.

In his own statement Keating said he had been "authoritatively informed" that intercepted communications "have already yielded information about serious crimes involving *disloyalty* to our country." The italics are added, and the word chosen may be significant. "Disloyalty" can be conversational. Keating also says that while he favors the court order for wire-tapping he has become "convinced that an exception must be made in the case of evidence obtained against *potential* traitors, saboteurs, espionage agents and seditious conspirators." Again the italics are added. If a man is only a "potential" traitor, etc., he has not yet committed a crime and has only given evidence of opinions or associations some people may consider dangerous.

This is the kind of evidence which can be obtained by listening in on people's telephones, and may be enough in a period like this to obtain convictions for such vague if sinister charges as "seditious conspiracy," "conspiracy to advocate" under the Smith Act, and failure to register under the treacherously loose provisions of the Foreign Agents Registration Act. The new Keating bill would permit wire-tapping in suspected violations of these statutes. They are an easy vehicle for the transplantation to the courts, via the conspiracy doctrine, of the kind of evidence as to opinions and associations which have figured so notoriously in loyalty proceedings. This may prove to be the real purpose of wire-tap legislation if it passes; those engaged in real crimes do not chat about them over the telephone.

Personal Note: IFS will speak in Los Angeles April 22 under the auspices of the Citizens Committee to Preserve American Freedom and in San Francisco April 23 under the auspices of Californians for the Bill of Rights. The subject will be a general report on McCarthyism and the witch hunt.

Stop Press Bulletin

Capitol Hill—That dispute—the one between Senator Mundt and the American Bar Association—is still holding up important government business. One Senator, from Wisconsin, claims that until this controversy is resolved he cannot go ahead with hearings on alleged infiltration in Alaska, among the Eskimos.

A grocery store keeper at Point Barrows, according to an informant whose identity cannot be disclosed, is said to have planted the seeds of subversive doctrine by wrapping fish for Eskimo purchasers all through the summer of 1943 in pages torn from copies of Das Kapital in the original Russian.*

The merchant, who changed his name from Boris to Igor to avert suspicion, is said to figure in sensational testimony already taken in executive session from a former member of the Alaskan Politbureau converted to capitalism by Roy Cohn.

According to this ex-Communist, the merchant slyly assured his customers that by wrapping their fish in those book pages he was giving them surplus value!

* That Das Kapital was originally written in Russian and not as hitherto supposed in the language of our God-fearing German allies will also be disclosed by the McCarthy committee as soon as hearings resume.

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Treason Amendment Too Reactionary for Pentagon

Capitol Hill—That current Republican line about "twenty years of treason" would be transposed from the realm of rhetoric to that of prosecution by a sweeping new amendment to the treason clause of the Constitution.

This would make it treason to "collaborate" with "any agent or adherent" of a foreign nation "in working for the overthrow *or weakening* of the Government of the United States, *whether or not* by force and violence." (Italics added). This is vague and broad enough to hale into the courts some of those unfortunate diplomats the China Lobby has blamed for Chiang's downfall.

Despite the revolutionary character of this proposal, it has been launched here in almost "top secret" fashion. It was given a "public" hearing on February 3 but no one was heard but the two Congressmen, Keating (R., N.Y.) and Bennett (D., Fla.) supporting it. The hearing was before a subcommittee (No. 4) of the House Judiciary Committee. but many members of the full committee are unaware of the measure. The hearing is not being printed and the reporting firm cannot sell copies of the transcript because, almost two months later, it has not yet been "corrected."

Perhaps one reason for not printing the hearing is that the record, unnoticed by the press, contains a letter from the Department of Defense strongly opposing the proposed amendment. It had been submitted to the Department by Committee Chairman Reed (R., N.Y.) for an advisory opinion. H. Lee White, Assistant Air Force Secretary, signed the letter.

"Treason," the Defense Department letter said, "is the only offense which is specifically named in the Constitution itself. An exclusive definition is given for the offense, and the method of obtaining a conviction is then set out in meticulous detail. Such deep concern with this one crime came about partially as the result of the insidious nature of the crime itself, *and partly because experience had shown that an extremely broad power to punish for treason might become an instrument of oppression.*" (Italics added).

The Defense Department suggested that the lesser political offenses the treason amendment would cover be handled by ordinary legislation. There was a similar hint in the letter from the Department of Justice, by Assistant Attorney General William P. Rogers. He said the Justice Department preferred to make no comment on whether the amendment should be approved but said the Judiciary Committee "may wish to consider whether it is possible to attain the worthy objectives of these resolutions by the ordinary legislative process."

The origin of this amendment, which has already been touted by such columnists as George Sokolsky, is obscure. It was first introduced in 1949 by Bennett. Originally, it broadened the definition of treason and deleted the constitutional provision requiring two witnesses to each overt act. Later, as a result of criticism, Bennett took out this latter portion of the measure. But this year Keating introduced the bill in its original form. Bennett's measure is H.J. Res. 8. Keating's is H.J. Res. 45.

At the hearing, Bennett was subjected to sharp questioning by another member of the subcommittee, Meader (R., Mich.). Meader wanted to know whether an American who advocated world government and worked to strengthen the UN might not be accused of treason, since this would be "weakening" the American government.

"I may say," Bennett replied, "that I think that a person who collaborated with an agent of a foreign country along the lines you have suggested, frankly for the weakening of the U. S. government, for the building of a strong sovereign power in the UN, in my opinion would be guilty of treason and should be tried for treason and convicted of treason."

The Constitution strictly defines the crime of treason as giving aid and comfort to an enemy in time of war. Keating told the House Judiciary Subcommittee the Constitution embodies an "unrealistic definition . . . coupled with an unworkable standard of proof." But Madison in the Federalist Papers explained that the treason clause was so strictly worded because "new fangled and artificial treasons have been the great engines by which violent factions . . . have usually wreaked their alternate malignity on each other." The Framers, as Henry Adams wrote, "feared despotism more than they feared treason."

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